

Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

and servant existed between the owner and master of a vessel, the owner even though a municipal corporation was liable, under the rule of respondeat superior, for the negligence of his servants. See also *The Sottawanna,* 21 Wall. 572-74 and *Butler* v. *Boston Steamship Co.,* 137 U. S. 527.

MORTGAGES—REFORMATION—MISTAKE—DESCRIPTION OF PROPERTY—HERRING V. FITTS, 30 So. 804 (Fla.).—When a married woman, intending to convey or mortgage her real estate, executes a proper instrument, in conjunction with her husband, with all the formalities required by law, but by mistake an erroneous description of the land is inserted, a court of chancery has power to correct the mistake.

The authorities are in open conflict on this point. While this conclusion is not without support, yet the majority of the courts seem to hold with *Williams* v. *Walker,* 9 I. B. D. 576, that a married woman's deed, if it is invalid at law is equally invalid in equity. But it is to be noted that this latter rule is followed by the Florida court whenever a personal judgment on a contract is sought against a married woman. *Dolliver* v. *Snow,* 16 Fla. 86.

PARTITION—PARTIES—TENANTS IN COMMON—ADVERSE CLAIMANTS.—SATTERLEE V. KOBBE ET AL., 72 N. Y. Supp. 675.—Plaintiff brought action for partition against his co-tenants and also made defendants six others who claimed title adversely. *Held,* persons claiming title to whole property adverse to plaintiff and co-tenants cannot be made parties and compelled to litigate their claims. McLennan, J., dissenting.

The tendency of legislation is to alter the general equity rule and allow adverse claimants to be made parties and questions of title to be tried in partition suits. *Thompson* v. *Holden,* 117 Mo. 118; *Martin* v. *Walker,* 58 Cal. 59; *Trainor* v. *Greenough,* 145 Ill. 543. Several recent New York cases have also taken the same position. *Best* v. *Yeh,* 82 Hun. 232.

TREATIES—PROCEEDINGS FOR RESTORATION OF DESERTING SEAMEN—TREATY WITH GREAT BRITAIN.—UNITED STATES V. KELLY, 108 Fed. Rep. 538 (Oregon.) —Defendants forcibly took from the custody of a deputy United States Marshall four men who had been adjudged deserters from an English ship by the United States commissioner, who ordered the marshall to restore the deserters to the ship under the direction of the British consul. *Held,* that the marshall acted as the consul's agent, so that the defendants were not guilty of obstructing an offcer of he United States while attempting to execute a legal or judicial writ.

The treaty between the United States and Great Britain gives the British consul power to require from the proper authorities the assistance provided by law for the apprehension of deserting seamen. The only assistance provided by law for this purpose is found in Section 5280 of the Revised Statutes, which gives the proper officer authority to deliver deserting seamen to the consul. In this case, the marshall was in the execution of an order from the British consul, which required him to restore the seamen to the master of the vessel, a thing not within the power of the commissioner to order. The officer, therefore, was obstructed, not in the performance of a duty enjoined by law, but in the performance of an act directed by the British consul.